



266 2716
PATENT 1/36/03
Customer No. 22,852
Attorney Docket No. 06556.0003-03000
PH
#41/2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
John POLK) Group Art Unit: 2716
Application No.: 09/973,865) Examiner: E. COSIMANO
Filed: October 11, 2001)
For: Method and Apparatus for Payment)
Processing Using Debit-Based)
Electronic Funds Transfer and)
Disbursement Processing Using)
Addendum-Based Electronic Data)
Interchange)

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Commissioner for Patents and Trademarks
Washington, DC 20231

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Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first office action in the above-referenced case.

Copies of the listed documents were previously submitted in prior applications no. 08/941,187, filed September 30, 1997 (now U.S. Patent No. 5,946,669) and no. 09/033,941, filed January 7, 1998 (now U.S. Patent No. 6,119,107), upon which Applicant relies for the benefits provided in 35 U.S.C. § 120. Therefore, pursuant to 37 C.F.R. § 1.98(d), copies of the listed documents are not enclosed. Applicant requests that this list of documents be printed on any patent issuing from the present application no. 09/973,865, as explained in § 609 of the Manual of Patent Examining Procedure.

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This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicant determines that the cited documents do not constitute "prior art" under United States law, Applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.


Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: January 23, 2002

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